



## New Jersey Department of Children and Families Policy Manual

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### I. **PURPOSE**

This policy addresses the use and operation of State vehicles by DCF employees.

### II. **PERMITTED USE OF STATE VEHICLES**

1. All operators of State vehicles issued by DCF must be employed by the Department of Children and Families, be on the State of New Jersey Centralized Payroll system and have a valid driver's license. Only the employee who is assigned to a vehicle at any particular time is permitted to operate it. Student interns, volunteers, service providers and contracted employees are not permitted to operate or drive State vehicles.
2. Employees are prohibited from using personal vehicles to transport clients. Clients must be transported in a State vehicle.
3. State vehicles are to be used by staff for transportation when conducting client-centered, work-related activities only (i.e., to conduct field work) and may be used by authorized employees in Licensing, IT, Facilities, IAIU and OOE (bus drivers). State vehicles are not to be used to attend off-site meetings or trainings.
4. IAIU investigators are prohibited from using their personal vehicles for any case/investigation related work. A state car will be made available in each region for the field investigators.

Individual exceptions to this policy may be made on a case-by-case basis by the Commissioner, the Director of CP&P, the Director of IAIU or the designee of any of those persons, when justified by extenuating circumstances.

### III. **DRIVER'S LICENSE REQUIRED**

1. An employee whose job responsibilities require driving must possess a valid driver's license\*. The Department has the authority to prohibit an employee from operating vehicles or motorized equipment on the job if any question exists about the validity of his or her driver's license. Under no circumstances is an employee permitted to operate a state vehicle without a valid driver's license.

**\*Note: A "valid license" includes compliance with all New Jersey motor vehicle statutes, including, but not limited to, the 60 day limitation on out-of-state licenses pursuant to N.J.S.A. 39:3-17.1.**

2. If at any time an authorized vehicle operator's license is suspended, revoked or expired, in any state or jurisdiction, it is the employee's responsibility to notify the employee's immediate supervisor within one (1) business day.
3. The Department of Children and Families shall prohibit any employee with more than five (5) points on their license from operating a state-owned or leased vehicle. It shall be the responsibility of the employee to advise the employer when he or she has reached or will reach the level of five (5) assessed points. That notification must be made within one (1) business day of the assessment of the fifth point. Vehicle operators with five (5) or more points shall be required to reduce their points to less than 5 points within 30 days of such notification either by standard point reduction or by a New Jersey Motor Vehicle Commission approved point reduction program. Fees for such programs are the employee's responsibility.
4. The Department will conduct regular monitoring of employees' drivers' licenses.
5. An employee who is authorized to use and who operates a state vehicle under an expired, suspended, or revoked license, or who fails to report a change in the validity of his or her license or the accumulation of more than 5 points, may be subject to

- a) Suspension without pay,
- b) Removal, or
- c) Other action as determined by the Department in consultation with the Office of Employee Relations and management.

6. Any employee whose license is suspended for failure to pay surcharges or parking tickets will be afforded a period of five business days from the effective date to provide proof of a valid license.

During the five day period, the Department may place the employee on temporary assignment, special assignment, or other assignment. If the employee cannot provide proof of a valid driver's license at the end of the five day period, he or she will be subject to one of the actions described in "Disciplinary Action" in this policy.

#### **IV. APPROPRIATE USE OF STATE VEHICLE**

##### **A. Lawful operation**

Employees must comply with all laws governing operation of a motor vehicle. Failure to do so may result in disciplinary action.

##### **B. Smoking Prohibited**

All persons are prohibited from smoking at any time in a State vehicle. This applies to the driver of the vehicle and all passengers.

##### **C. Personal Use Prohibited**

The personal use of a permanently or temporarily assigned State vehicle is prohibited. This includes, but is not limited to any and all state equipment/property issued with the vehicle such as EZ Pass transponders, GPS devices, etc.

During normal work-hours when conducting client-centered, work-related activities, (e.g., field work) the vehicle may be used for authorized lunch break periods, which **must be recorded on CP&P [Form 16-68](#), Vehicle log, immediately after returning the vehicle.**

The use of a State vehicle for personal errands, any form of shopping, or personal business activity during the authorized lunch or break **period is prohibited.** The need for emergency medical treatment or prescription drugs by staff in an urgent situation would not be considered unauthorized use. This

includes prohibition on the use of a State vehicle for personal errands, any form of shopping or personal activity during an authorized lunch or break.

#### **D. Use of Wireless Devices Prohibited**

1. DCF employees are prohibited from using wireless devices, **including hands-free devices**, while operating a State motor vehicle. This applies to both State-issued wireless devices and personal wireless devices.
2. For the purposes of this policy, the term "Wireless Device" includes cellular phones, "Blackberries," air cards and all other wireless communication devices and hand-held portable computing devices.
3. In the interest of safety, an employee shall pull the State vehicle over to a safe location, off the road and out of traffic, before using a wireless device.
4. Employees who use State vehicles and need to determine directions, should program any GPS they may have prior to driving and may listen to it as they drive. If there is a need to re-program the device, the driver is required to pull over and stop driving to do so.

#### **E. Safe Use of Vehicles**

1. Drivers are responsible for operating safe vehicles and, as such, must report unsafe conditions as soon as possible to the office Vehicle Coordinator. Prior to the operation of any State vehicle, it is the individual driver's responsibility to complete a pre-trip visual inspection of the vehicle. (See Section V (B)(2)(6) below.)
2. The vehicle operator shall not be permitted to operate a state vehicle when any impairment compromises his/her ability to safely operate a vehicle. The Department reserves the right to obtain medical clearance from a state approved physician.
3. No one shall operate a state vehicle while under the influence of drugs/alcohol including prescribed or over-the-counter medications that warn against operating machinery while taking such medication.
4. Service recipients shall not be left unattended in a state vehicle for any length of time under any circumstances.
5. Vehicles shall not be left running when the vehicle operator is not seated in the driver's seat.

6. Vehicles shall be locked at all times when unattended.

## **F. Use of Child Safety Seats and Seat Belts Required / Role of New Workers**

State law requires that drivers of motor vehicles and passengers in every seating position in the vehicle are correctly restrained. Every DCF employee is responsible to ensure that he or she, and all passengers being transported, are properly restrained whenever a vehicle is in motion or is on a roadway.

New Workers are able to transport clients as soon as he or she starts working in the local office and has client contact. The Worker's driving record must be cleared by HR prior to operating a vehicle.

If the Worker has not had the mandatory car seat training, and has to transport a child in need of a car seat, the Worker will seek the Certified Passenger Safety Technician (CPST) designee(s) in his or her office who has been through the 4 day National Certification training for assistance.

If the CPST designee (s) for the office is not available to assist the new Worker, the Worker will seek help of his or her Supervisor to assist in locating a staff member, who has had the mandatory Car Seat training to support the Worker.

[Click here to view or print CP&P Policy III-C-2-500, Car Safety Seats.](#)

## **G. Vehicle Operation as Job Function**

Loss of the ability to use a state-owned or leased vehicle under this policy by State employees for whom vehicle operation is a job function, is cause for disciplinary action, up to and including termination of employment.

## **V. STATE VEHICLE ASSIGNMENT**

### **A. ASSIGNED VEHICLES**

All DCF offices will follow a standardized State vehicle dispatch system in accordance with this Policy.

1. A Dispatcher Repairer will be assigned to each cost center or cost center group. The Dispatcher Repairer will report to the DCF Office of Facilities and Support Services.

2. Each office will assign a primary and a back-up staff person who will be responsible for assuming the dispatching duties of the office.
3. The dispatch of State vehicles to employees will be the responsibility of the designated office staff.
4. All State vehicles assigned to an office will be in one vehicle pool and not assigned to any specific unit.
5. The Office Dispatcher, or the appointed designee, will be responsible for adhering to the following procedures.
  - a. Ensure vehicles assigned to the office fleet are equally dispatched regardless of age, model, or mileage unless the work assignment requires a specific type of vehicle.
  - b. Distribute keys and all vehicle credentials to the employee.
  - c. Close out vehicle log and check in keys and credentials when the vehicle is returned.
  - d. Maintain keys and all credentials in a secure place
  - e. Using the DCF electronic vehicle log or manual vehicle log, identify employees who are responsible for a moving or parking violation or a vehicle misuse allegation.
  - f. Report the ending mileage for each assigned vehicle through the DCF electronic vehicle log or manual vehicle log by the 10th day of each month.
6. The Dispatcher Repairer will be responsible for adhering to the following procedures:

- a. Report any lost credentials, fuel cards, or EZ-Pass tags to the Statewide DCF Vehicle Coordinator within 24 hours of the occurrence.
- b. Ensure preventative maintenance schedules are adhered to for each vehicle.
- c. Ensure damaged or unsafe vehicles are scheduled for repairs at Central Motor Pool Transportation Services in a timely manner.
- d. Ensure each vehicle has a valid inspection sticker when required by State law.
- e. Complete a quarterly DCF State Vehicle certification for assigned vehicles.
- f. Contact Transportation Services for towing when a vehicle is out of commission or breaks down on assignment.
- g. Complete monthly inspections on each vehicle assigned to the local fleet.

**Note:** [Form 16-68](#).

## **B. PROCEDURE FOR LOGGING ASSIGNED VEHICLES**

Employees must document use of a State vehicle by making all appropriate log entries, including starting and ending mileage and mileage for all stops, including lunch breaks, when permitted.

### **1. Employee Responsibilities:**

When an employee signs out a vehicle for use in the field, the employee is responsible for all credentials, including, but not limited to registration, insurance cards, e-z pass tags, GPS and keys. When returning the vehicle to the dispatch desk, all credentials must be accounted for. If a key has been lost, the employee who signed out the vehicle shall be responsible for reimbursing the State for the cost of the replacement key.

### **2. Logging Vehicles Out:**

- a. vehicles are logged out for use through the designated dispatcher/employee for the office by giving the appropriate information needed to the dispatcher to log into the vehicle database (i.e., name, title, destination, etc.)
- b. The employee must perform a pre-trip inspection of the State vehicle. This will include the following steps:
  - 1) Look over the vehicle to see if there is any visible damage, if there is, notify the dispatcher immediately.
  - 2) Check to ensure that the vehicle credentials are in the vehicle's glove compartment and are valid. Also check to ensure the inspection sticker is valid. If any of the above items are missing or not valid, notify the dispatcher and do not drive the vehicle. If the above steps are ignored, the employee will be responsible for any violations incurred while the State vehicle is assigned to that employee.

### **3. Logging Vehicles in:**

- a. a. Upon arrival back to the Local Office, park the State vehicle in a safe location with windows up and doors locked.
- b. Return the keys and gas card, along with the vehicle's ending mileage, to the Local Office dispatcher and request that they enter the information needed returning the vehicle back into the vehicle pool for use.

### **C. SECURITY OF STATE VEHICLES**

- 1. Drivers are responsible for the security of State vehicles and their contents. The vehicle must be legally parked with the engine off and doors locked when left unattended. Therefore, any charges incurred for the towing and/or release of illegally parked vehicles are the employee's responsibility.
- 2. If a GPS is located in the State vehicle, the employee must secure such GPS in the glove compartment, out of sight, whenever the vehicle is unattended.
- 3. When necessary, some employees may need to take State vehicles home



due to the lack of a secure parking facility at the work location. The Local Office Manager with OFSS determines if such an arrangement is needed to protect the State cars assigned to that office. (See Section X below.)

4. Management staff are not permitted to take State vehicles home.
5. Keys to State vehicles must be turned in daily, before the start of the work day, to permit use of the vehicles for client-related purposes.
6. An employee shall not take a State vehicle home when such employee is not planning to work the next day. If the employee who has a State vehicle cannot come to work, such employee must notify the office when calling in that he/she has a State vehicle and it must be made available for pick-up.

## **VI. MONITORING OF MOTOR FUEL USAGE**

### **A. Fueling**

1. It is the policy of DCF to monitor State vehicle refueling transactions for all vehicles assigned to DCF and all refueling transactions made with State-issued fuel cards ("Ward" cards) to ensure that transactions are related to DCF programs and services and are reasonable and appropriate. Employees will be subject to corrective or disciplinary action if it is determined that they have failed to abide by DCF or Department of the Treasury policies or regulations established for the appropriate use of a State vehicle or a State issued fuel card.
2. Employees are not to return a State vehicle with less than a half of a tank of gasoline. If the gasoline reading is less than a half of a tank, the employee is responsible to fill the tank with gasoline prior to returning the vehicle.

### **B. State Issued Fuel Cards ("Ward" Cards)**

1. State-issued Fuel cards refer to any and all gasoline cards issued by the State, its agencies, or employees, including "Ward" fuel cards which are utilized at Central Motor Pool fueling stations.
2. When state pumps are not operational and gasoline is needed, the employee pays for the gasoline and obtains a receipt. The employee submits requests for

reimbursement through the Cost Center Manager to the Office of Facilities and Support Services using the Request of Emergency Purchases form.

3. The original receipt for the gasoline purchased must be attached to the Request for Reimbursement of Emergency Purchases form and must indicate number of gallons purchased, the cost, and the full license plate number of the State vehicle.

### **C. Out of State Travel**

1. When State vehicles are used for travel 25 miles or more beyond the borders of the State and a credit card is required, advanced notice is to be given to the DCF Supervisor of Transportation Services by filling out the appropriate form (ADMV – 106).
2. The DCF Supervisor of Transportation Services will obtain the commercial credit card from the Department of Treasury, Central Motor pool, and issue the card to the requester.
3. The commercial credit card may only be used to purchase fuel, oil or to make minor repairs (under \$100).
4. Upon the workers return to the office the commercial credit card along with all receipts for purchases must be returned to the DCF Supervisor of Transportation within 2 business days.

### **D. Vehicle Tracking System**

Treasury's Central Motor Pool (CMP) utilizes an electronic vehicle tracking system to monitor mileage reporting, maintenance scheduling, and mileage per gallon figures. The tracking system also produces a monthly exception report for all refueling transactions that meet the following criteria or other criteria as established by CMP:

- Multiple refueling transactions (more than 2 transactions per day)
- Multiple refueling during a short time period

- Excessive gallons of fuel based on fuel tank capacity of vehicle
- Refueling before or after normal business hours
- Excessive refueling based on mileage, office location, and work

## **E. Assignment**

1. CMP will forward the monthly exception report to the DCF State Vehicle Coordinator.
2. DCF's State Vehicle Coordinator will separate the reports by cost center and distribute the reports to the responsible Local Office Manager or program supervisor for review and investigation. A copy will also be sent to the Area Director or program director.
3. Upon receipt of the monthly exception report, the Local Office Manager or program supervisor will investigate and respond to the incident(s) noted on the report. The response will include the following information:
  - Driver's name, title, and home address;
  - A statement signed by the employee as to whether the vehicle was being used for official State business;
  - A narrative addressing all incidents noted in the exception report;
  - An explanation, if the vehicle was being used after normal working hours, on a holiday or weekend; and
  - An indication of whether any corrective or disciplinary action was taken.
4. The Local Office Manager or program supervisor will return the exception report response to the DCF Office of Facilities and Support Services within two weeks of receipt of the request for information.
5. DCF's Office of Facilities and Support Services and DCF's Supervisor of Transportation Services will review the exception report response for completeness and action taken.
6. In cases where there appears to be suspicious activity or abuse in the State vehicle refueling transactions and/or transactions made with State- issued credit cards, the monthly exception report(s) and response(s) will be forwarded to the

DCF Office of Employee Relations for appropriate administrative action. Such reports may also be forwarded to appropriate law enforcement authorities.

## **VII. PARKING AND CAMERA-ISSUED VIOLATIONS WHILE USING STATE VEHICLE**

All DCF employees who are drivers of State vehicles shall be responsible for resolving with the appropriate court, within the required timeframe, all parking violations issued against vehicles assigned to them at the time the summons or ticket is issued. Drivers who fail to resolve such violations prior to the State paying the ticket shall be responsible for all fines as well as administrative fees charged to the Department and be subject to corrective or disciplinary action.

The following is the procedure regarding parking violations:

1. Upon Treasury notification, OFSS will enter the violation information into the DCF unpaid summons database, identify which office was in possession of the vehicle at the time of the violation and notify that office of the unpaid ticket. Simultaneously, OFSS will notify the DCF Office of Employee Relations (OER) of the violation and the office where that vehicle is assigned.
2. The DCF office cost center manager must identify the driver who was in possession of the vehicle at the time of the violation and forward that information to OFSS and to OER within two working days of the initial notification.
3. OER will initiate appropriate action against the driver of the vehicle for failure to pay the ticket in the required time period.
4. OFSS will update the DCF unpaid summons database identifying the driver of the vehicle.
5. The DCF cost center manager will be responsible to collect:
  - the full amount of the fine and the 20% administrative fee
  - charged by Treasury from the identified driver of the State
  - vehicle.
6. Payment must be in the form of a check or money order,
  - payable to the "Treasurer, State of New Jersey" and sent to

- DCF OFSS, Director, through interoffice mail, Cost Center
  - 933 within seven (7) working days of the initial notification.
7. Once payment is received, OFSS will indicate in the DCF
    - unpaid summons database that the violation and administrative
    - charge has been paid in full by the driver.
  8. OFSS will notify OER at the end of each month in the form of an excel spreadsheet of all unpaid parking tickets attributed to DCF State vehicles for follow-up and any appropriate additional disciplinary action for failure to pay the fine and administrative costs.
  9. OFSS will forward the payment to the DCF office of Accounting which will be responsible for the proper crediting of DCF accounts.
  10. Tickets issued via a camera-enforcement violation system shall be forwarded to the employee who committed the violation upon identification and such employee shall be responsible for paying the assessed fine. The employee shall not be responsible for the 20% administrative fee charged by Treasury.

### **VIII. ACCIDENTS WHILE USING STATE VEHICLES**

1. All accidents involving State vehicles must be reported to the DCF Vehicle Coordinator within 48 hours of the accident. Employees must complete the RM-1A, State of New Jersey Accident Report, (blue original and two copies) by following the instructions printed on the form. The report must be signed by the person completing the form and the immediate Supervisor.
2. It is the responsibility of the employee operating the vehicle at the time of the accident to submit the RM-1A within 48 hours of the accident. If the employee is unable to complete the form, the employee's supervisor must do so. The RM-1A is attached and can also be found on the DCF portal page under "Facilities" or under "Human Resources-Forms" and can also be obtained from the local office vehicle coordinator. The completed RM-1A is to be submitted to "DCF Vehicle Coordinator, Office of Facilities Management CC# 933."
3. Failure to submit the RM-1A in a timely manner will result in the employee being held responsible for any administrative cost imposed on DCF by Treasury (currently \$250).
4. When damage exceeds \$500 or there is an injury, a Police Accident Report must be filed. If the police are not at the accident site, a Division of Motor Vehicles Accident Report, SR 1, must be submitted to the Division of Motor Vehicles.

Secure the form from the Division of Motor Vehicles or any police station.

#### **A. UNREPORTED BODY DAMAGE**

Before a State vehicle is brought to a Central Motor Pool Facility for servicing, a pre-inspection should be done by the car coordinator or staff person to identify any damage. If damage is found, the person delivering the vehicle submits a completed RM-1B (Incident Report) to Central Motor Pool. If it is unknown how the damage occurred, this is stated on the report, which is dated on the date the damage is discovered. The report must be signed by the person completing the RM-1B and the immediate Supervisor.

The Division of Risk Management advises the Vehicle Coordinator when they learn that a State employee and the State of New Jersey are being sued as a result of a motor vehicle accident involving a State vehicle. Upon notification of being sued, the DCF employee must immediately follow established procedures for requesting legal representation through the DCF Office of Legal Affairs.

#### **IX. COMPLAINTS RECEIVED REGARDING USE OF STATE VEHICLES**

1. Drivers are responsible for all complaints received regarding their use of a State vehicle.
2. Vehicle complaints are received from the Department of the Treasury and forwarded to the Supervisor of Transportation Services.
3. The Supervisor of Transportation Services identifies where the vehicle in question is assigned.
4. The complaint is then forwarded to the appropriate Local Office with a copy to the Area Director or, Cost Center Manager, to identify the driver of the vehicle at the time in question.
5. The Local Office Manager shall meet with the identified employee to determine facts regarding the complaint and send a written response to the DCF Supervisor of Transportation Services within two weeks.
6. The DCF response to the Complaint shall be sent to the Department of Treasury.
7. Appropriate action shall be taken against the employee, if determined to be warranted by the DCF Office of Employee Relations.

#### **X. TAXABILITY OF PERSONAL/COMMUNTATION USE OF STATE PROVIDED VEHICLES**

1. The Commutation Program is only for use in offices where there is either insufficient parking for State vehicles assigned to the office or problems with vandalism to cars in the parking area. Offices must get authorization from the Office of Facilities and Support Services (OFSS) prior to assigning cars to employees for commuting. Vehicles are to be assigned only to employees who live closest to the office, but in no case should a vehicle be assigned to an employee living or commuting more than 15 miles from the office, unless good cause is shown to Facilities Management. The name of each employee assigned a vehicle for regular commutation must be submitted to Facilities Management along with the employee's home address and normal mileage for one way commute to the work location.
2. All DCF employees, other than managers, working in the office affected are eligible to participate in the program, if they possess a valid driver's license to operate a motor vehicle in the State of New Jersey.
3. Employees in all offices may also have occasion to take a State vehicle home in order to conduct DCF business the following morning.
4. Only State employees on official State business, business invitees (contracted employees), another DCF employee who commutes with the assigned driver or clients known to the Division on official State business may ride as passengers in a State vehicle.
5. Commutation with a State vehicle is a taxable fringe benefit under Federal and New Jersey State law. Therefore, all employees who take a State vehicle from the office to home and from home to the office, whether or not they are participating in a commutation program, must keep a record of the commutation use and report it to Facilities Management, including:
  - a. A commutation log, which includes the employee's name, last four digits of their social security number, and the number of one-way trips, must be maintained by each employee and submitted on the first of the month to the office designee (use form CU-1, attached); and
  - b. The information should be compiled on form CU-2 by the Office designee and must be submitted to the Director of Facilities by the 5<sup>th</sup>

day of each month. State Centralized Payroll will include the value of the commutation trips in the gross wages on regular Pay Period 26 displayed in the box entitled "Taxable Benefits" and on the W-2 forms of affected employees.\* (See circular, State of NJ Department of Treasury, OMB. II-04-OMB.) If employees make a field visit on the way to work or on their way home, such a visit is not considered commutation.

6. All vehicles assigned to take home as part of the Commutation Program, must be returned to the office by 9:00 a.m. the following work day and be available to sign out by other workers. All vehicles assigned within the commutation program will remain as pool vehicles and it will be up to the local office to manage the day-to-day logistics of assigning vehicles to employees.
7. If an employee is not working because of illness, it is driver's responsibility to make arrangements with the cost center manager or his/his designee to have the vehicle returned to the office by the start of business.
8. If any employee has a State vehicle during the day but is unable to return to the office by the time the assigned commuting driver is scheduled to leave, it is the employee's responsibility to inform the supervisor. The supervisor should then assign another car to the commuting driver to enable the assigned commuting employee to get home.
9. The prohibition on personal use of State vehicles applies to those being used in the commutation program.

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\* The value of the commutation use of a State vehicle is currently set at \$1.50 per one-way commute.

The state will not withhold state or federal income tax on the vehicle fringe benefit, however employees are responsible for any tax liabilities.